

CHAPTER 1-17—ORDINANCE REGULATING SNOW OBSTRUCTION WITHIN A PUBLIC TRAVEL WAY

- 01-17-01** **AUTHORITY:** In accordance with and under the authority of New Hampshire Revised Statutes Annotated, Chapters 41:11 and 47:17 VII, the Town of Stratham Board of Selectmen hereby establish the following ordinance regarding Snow Obstructions within a public travel way.
- 01-17-02** **PURPOSE:** Whereas, the placing snow, ice, and other debris within a public travel way creates an unexpected and unnecessary hazard for the public using a highway or sidewalk when not part of the Town's winter maintenance of these travel ways; the purpose of this ordinance is to protect the safety, health, and welfare of the general public and to regulate the use of the municipal roads, and sidewalks within the Town of Stratham.
- 01-17-03** **PROHIBITED ACTS:** No operator or owner of a vehicle or equipment shall put, place, or store, or cause to be put, placed, or stored snow, ice, or other debris, which has been removed from private property onto any public road, or sidewalk within the Town of Stratham.
- 01-17-04** **PENALTIES:** All of the prohibited conduct outlined herein shall be defined as a violation under New Hampshire RSA 625:9 V, and a person found to be guilty of said violation shall be subject to the penalties of NH RSA 651:2 IV (a), or as otherwise outlined by Statute, except that optional procedures set forth in Section 01-17-05 PROCEDURES FOR PAYMENT may be used in lieu of court proceedings for any such violations.
- 01-17-05** **PROCEDURES FOR PAYMENT:**
- a) The operator or owner may, within 72 hours of the time when a notice of a violation was issued, pay to the Stratham Police Department by mail or personal appearance the sum of twenty (\$20.00) dollars as a penalty in lieu of court proceedings, except that when this is a second offense within one Winter Season, the penalty shall be thirty (\$30.00) dollars; or when this is a third or subsequent offense within any Winter Season the penalty shall be fifty (\$50.00) dollars.
 - b) Failure by the owner or operator to make such payment within fourteen (14) calendar days shall result in a second written notice of the violation. Failure by the owner or operator to make payment within five (5) business days after the second notice is sent, may result in the issuance of a summons to the owner to appear in the Circuit Court, District Division to answer to the charges of violating the ordinance as provided in RSA 231:132-a.
- 01-17-06** **SEVERABILITY:** If any section, part of a section, chapter, provision, or amendment of this ordinance is declared or deemed invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section, or sections, or part of a section, or chapter, and provision of the ordinance.

Adopted 2012

By: Selectmen David Canada, Timothy Copeland, Bruno Federico